

GLOBAL MONITOR

This new feature seeks to provide regular reports on the current activities and thinking of key agents of contemporary global governance. The reports will thus range over major global organisations, major civil society actors and major corporate institutions. Our thinking in initiating this feature is that, whilst the need to understand the role of such players in global governance is obvious and pressing, the task is actually difficult, in some cases because the sheer range of material available on the web is so great as to make the prospect of absorption forbidding, in other cases because of the reverse, namely, the notable lack of publicly available material. These Global Monitor reports should at least provide a factual basis from which subsequent analysis and debate can flow.

The World Trade Organization

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The World Trade Organization's (WTO) first seven years have been a mixture of triumph and tribulation. Its emergence from a politically fraught and protracted Uruguay Round (1986–94) of trade negotiations generated much hope that the turbulence of postwar commercial politics might finally be at an end. The Organization was to be the centre piece of a much consolidated and significantly widened regulatory framework designed not only to administer a series of legal agreements (see Figure 1) covering trade in goods, trade in services, trade-related intellectual property rights, and oversee the wherewithal to settle trade disputes, but also to provide a permanent forum in which further liberalisation could be pursued through periodic negotiation. This alone, official estimates suggested, would result in an additional growth in world trade of 25 per cent and an increase in world income of over US\$500 billion by 2005.¹

The WTO's establishment was not just intended to formalise, deepen and widen an international system of trade regulation. It was also to bring greater coherence in global economic policy making by drawing together the work of the WTO with that of the International Monetary Fund (IMF) and World Bank, as well as to develop relations with other bodies such as the World Intellectual Property Organization (WIPO), the International Telecommunications Union (ITU) and the International Organization of Standards (IOS).²

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**Final Act of the Uruguay Round of Multilateral Trade Negotiations
Marrakech Agreement Establishing the World Trade Organization
Multilateral Agreements on Trade in Goods**

General Agreement on Tariffs and Trade 1994 (GATT)
Agreement on Agriculture
Agreement on the Application of Sanitary and Phytosanitary Measures (SPS)
Agreement on Textiles and Clothing
Agreement on Technical Barriers to Trade
Agreement on Trade-Related Investment Measures (TRIMs)
Agreement on Implementation of Article VI of the GATT 1994
Agreement on Implementation of Article VII of the GATT 1994
Agreement on Preshipment Inspection
Agreement on Rules of Origin
Agreement on Import Licensing Procedures
Agreement on Subsidies and Countervailing Measures
Agreement on Safeguards

**General Agreement on Trade in Service (GATS)
Agreement on Trade-related Aspects of Intellectual Property Rights (TRIPs)
Understanding on Rules and Procedures Governing the Settlement of
Disputes**

Trade Policy Review Mechanism

Plurilateral Trade Agreements

Agreement on Trade in Civil Aircraft
Agreement on Government Procurement
International Dairy Agreement
International Bovine Meat Agreement

Ministerial Decisions and Declarations

FIGURE 1. The legal framework of the World Trade Organization (at 1 January 1995).

Further events added to the sense of well-being that accompanied the WTO's creation. By the end of 1995 the WTO reported that good progress had been made on implementing the Uruguay Round agreements; the first Ministerial Meeting in Singapore in December 1996 (see Figure 2) was deemed successful; agreements were signed between the WTO and the IMF, and the WTO and the World Bank furthering their cooperation; the WTO triumphantly unveiled its logo; and the negotiations for the Agreements on Basic Telecommunications and Financial Services were successfully concluded.

Yet the euphoria that accompanied the WTO's establishment was short lived. By May 1995 a dispute had broken out between the USA and Japan over the latter's import regime for cars and automotive components. This was followed in quick succession by disputes between, variously, the USA, EU and Japan over alcoholic beverages, bananas, beef, aircraft 'hush-kits' and foreign sales corpora-

Singapore—9–13 December 1996
Geneva—18–20 May 1998
Seattle—30 November–3 December 1999
Doha—9–13 November 2001

FIGURE 2. WTO Ministerial Meetings to March 2002.

tions, to name but a few. Tensions began to emerge over whether the WTO's remit should be extended in some way to include core labour standards and measures designed to protect the environment. Efforts to pursue the liberalisation agenda still further were met with complaints from developing countries that the Uruguay agreements had yet to be fully implemented, despite the reported good start. The election of a successor to Renato Ruggiero as Director-General proved politically difficult eventually resulting in an awkward compromise wherein the USA's preferred candidate, former New Zealand Prime Minister Mike Moore, and the Southern-backed candidate, former Thai Finance Minister and Deputy Prime Minister Supachai Panitchpakdi, were elected for two consecutive terms of three years. Lastly, questions began to be asked by a growing number of civil society organisations about the WTO's democratic accountability and apparent lack of transparency, its utility as a forum for determining commercial policy and its refusal to deal with various social issues.

The WTO's discomfort reached a pinnacle during its third Ministerial Meeting in Seattle in late November/early December 1999. Not only was the Seattle Meeting disrupted by protests from a range of social actors (some peaceful, some not) and the response of the US national guard, turbulence once again afflicted international trade politics. The mood inside the meeting matched its surroundings and the hope that Seattle would launch a 'Millennium Round' of trade negotiations floundered on the political tensions that permeated the meeting. But the discomfort was not to end there. Preparations for the WTO's fourth Ministerial Meeting in Doha in November 2001 were momentarily disrupted by security fears resulting from the US-led action in Afghanistan and a suggestion that the meeting should be moved to Singapore. Finally, in late October 2001 the WTO announced that the growth in the volume of world merchandise trade had slowed to 2 per cent in 2001 compared with a rate of 12 per cent in 2000.³

This report explores recent developments within the WTO. It begins with the post-Seattle process and the considerable effort that has been put into rebuilding the WTO's public image; it then surveys something of recent events in the dispute settlement process, moving on to the Millennium Round, the Doha Ministerial Meeting and the accession of China, before offering some concluding comments.

The WTO's public image

The events in Seattle⁴ surprised many and were the source of much soul-searching within the Organization, none more so than by Director-General Mike Moore. The most obvious response to Seattle was the WTO's engagement in a public confidence building exercise and a concomitant effort to improve and increase the Organization's general profile.⁵ One part of this strategy saw a response to accusations that the Organization lacked an appropriate degree of transparency manifest in an increase in the usage of the WTO's website as the Organization's principal medium. Two features of this are noteworthy. First, Seattle was followed by a decision to speed up the derestriction of WTO documents and for these to be made available on its website. Second, shortly thereafter the WTO relaunched its website bringing with it a series of public

relations documents designed to promote the work of the Organization, as well as to quell popular misconceptions. Principal among these were '10 benefits of the WTO trading system' and '10 common misunderstandings about the WTO' (see www.wto.org). Beyond this, on 1 February 2001 the WTO put into place a much revised electronic document database; and, citing considerations of cost and a desire to promote greater availability, in July 2001 the WTO decided to make its periodic newsletter—*WTO Focus*—available in electronic form only, either through e-mail upon completion of a registration form, or by downloading it from the website.

As a complement to the increased availability of documents on its website, the WTO has also attempted to increase the level of public involvement through the development of various electronic forums. These have included, for instance, a month-long on-line forum on trade and development (which started 23 October 2000), as well as a chat room and notice board covering such unlikely subjects as 'anti-globalisation' and 'go to hell WTO' in addition to more predictable topics like China's accession to the WTO and the September 2001 terrorist attacks in the USA.

The increased usage of the WTO's website is not, however, without some significant costs. The decision to cease production of a printed version of *WTO Focus*, for instance, is likely to result in fewer public forums retaining printed copies, as to do so requires each version to be printed and the costs of doing so accepted by the recipient. Moreover, accessing the WTO's website requires users to have access to the necessary hardware and software. This concentration on electronic media, though on the one hand intended to increase public involvement and improve the Organization's transparency, is, on the other, available only to those proficient in, and with access to, the necessary means. Given that only 0.4 per cent of the population in sub-Saharan Africa and South Asia, and 2.3, 3.2 and 3.9 per cent of people in East Asia and the Pacific, Latin America and the Caribbean, and Eastern Europe and the Commonwealth of Independent States (CIS) respectively, have access to the internet (compared with 54.3 per cent of the US population and 28.2 per cent of other 'high income OECD countries')—and these figures say little of the qualitative dimensions of connectivity such as the relative age of hardware or the proficiency of particular software packages—the WTO's move in this direction is likely to skew access further towards middle to high income, urban, industrial users.⁶

The second part of the WTO's public relations strategy has been to intensify its courtship of non-governmental organisations (NGOs).⁷ NGOs have been able to attend the Ministerial Meetings of the WTO since Singapore, on the proviso that they first complete a process of registration and accreditation. The possibility of attending successive WTO Ministerial Meetings has been enthusiastically received among the NGO community and applications to attend have increased steadily. WTO figures put the number of NGOs that applied for accreditation for the Doha Ministerial Meeting at 673, of which 647 were deemed to be eligible (albeit that for Doha, NGO representation was limited to one per organisation). Yet, although the WTO has intensified its courtship of NGOs, the substance of their interaction remains tightly controlled by a series of guidelines enacted in the run-up to the Singapore Meeting (see Figure 3).

I. Under Article V:2 of the Marrakesh Agreement establishing the WTO 'the General Council may make appropriate arrangements for consultation and cooperation with non-governmental organizations concerned with matters related to those of the WTO'.

II. In deciding on these guidelines for arrangements on relations with non-governmental organizations, Members recognize the role NGOs can play to increase the awareness of the public in respect of WTO activities and agree in this regard to improve transparency and develop communication with NGOs.

III. To contribute to achieve greater transparency Members will ensure more information about WTO activities in particular by making available documents which would be derestricted more promptly than in the past. To enhance this process the Secretariat will make available on on-line computer network the material which is accessible to the public, including derestricted documents.

IV. The Secretariat should play a more active role in its direct contacts with NGOs who, as a valuable resource, can contribute to the accuracy and richness of the public debate. This interaction with NGOs should be developed through various means such as inter alia the organization on an ad hoc basis of symposia on specific WTO-related issues, informal arrangements to receive the information NGOs may wish to make available for consultation by interested delegations and the continuation of past practice of responding to requests for general information and briefings about the WTO.

V. If chairpersons of WTO councils and committees participate in discussions or meetings with NGOs it shall be in their personal capacity unless that particular council or committee decides otherwise.

VI. Members have pointed to the special character of the WTO, which is both a legally binding intergovernmental treaty of rights and obligations among its Members and a forum for negotiations. As a result of extensive discussions, there is currently a broadly held view that it would not be possible for NGOs to be directly involved in the work of the WTO or its meetings. Closer consultation and cooperation with NGOs can also be met constructively through appropriate processes at the national level where lies primary responsibility for taking into account the different elements of public interest which are brought to bear on trade policy-making.

FIGURE 3. 1996 WTO guidelines for the development of relations with NGOs.

Source: WTO, 'Guidelines for arrangements on relations with NGOs', Document WT/L/162, 18 July 1996.

In addition to the involvement of NGOs at Ministerial Meetings, the WTO has put into place other measures. First, the WTO has committed itself to engaging in a number of 'dialogues and briefings'. These range from 'lunchtime dialogues' wherein NGO representatives have the opportunity (at the WTO's discretion) to attend an informal discussion of their work with interested delegations and secretariat officials, through 'open dialogue' discussions on specific issues, to NGO briefing sessions after key WTO meetings. Second, the WTO has committed itself to exploring 'opportunities' to allow NGO representatives to attend technical seminars on particular issues or aspects of the WTO's remit. Third, the possibility exists for 'stand alone' workshops to be organised on specific issues of interest to NGOs. Fourth, the WTO has developed an NGO outreach section on its website comprising chat rooms, NGO position papers, an NGO bulletin and a dedicated NGO website during Ministerial Meetings.

Nevertheless, and much like the website, these provisions are unlikely to expand meaningfully access to the Organization. In the first instance, the vast majority of forums take place in Geneva. Only the 'stand alone' workshops have the potential to take place beyond the immediate hinterland of the Centre William Rappard. Moreover, participants are chosen by the WTO from those deemed to have a legitimate interest in trade issues. The majority of meetings in the WTO are also set to remain behind closed doors. Coupled with the problems that beset access to its website, the WTO's emerging regime for dealing with NGOs is likely to continue to favour those well organised, Northern-based NGOs that can demonstrate a legitimate interest in WTO affairs and which pursue a largely unthreatening agenda—precisely those NGOs that already have access to the WTO.

There is, however, another dimension to the emerging relationship between the WTO and NGOs. Since the events of Seattle, the WTO has begun to observe more closely those NGOs that express a desire to attend Ministerial Meetings. As well as demonstrating that an NGO's activities are concerned with matters that relate directly to those of the WTO, it was decided from 8 May 2001 that NGOs be requested to provide general information on the institutional structure of their organisation, including details of national, regional and international representation, the number of staff, size of membership, and financial statements, as well as a statement of whether they have previously attended WTO Ministerial Meetings.⁸ Moreover, as had been the initial intention of including a provision enabling the Organization to develop relations with NGOs in the *Establishing Agreement* (Article 5, Paragraph 2), the WTO has begun to put greater emphasis on what NGOs can do in nurturing trade capacity in developing countries than as scrutineers of good practice.

Social issues

Three social issues have featured prominently in discussions of the WTO: first, whether a link should be made between the process of trade liberalisation and the maintenance of core labour standards; second, and comparably, whether the WTO ought to incorporate more substantive measures to promote environmental protection in its legal framework; and third, whether public health issues—principally, though not exclusively, relating to food security—intersect with trade issues in such a way that discriminatory action ought to be sanctioned. Generally, these issues have witnessed relatively little attention in the WTO, albeit that environmental and public health issues have been more sympathetically received than their labour counterpart. Some specific comments are required.

The issue of core labour standards has little purchase within the Organization. Only the USA and the EU remain steadfastly in favour of a WTO exploration of the issue of worker rights, with the addition of some small pockets of support from Bulgaria, Israel, South Africa, New Zealand and Switzerland. Much of the remainder of the Organization's membership remains hostile to such suggestions, pointing instead to the 1996 Singapore Ministerial Declaration committing members to support the principle of worker rights and the work of the International Labour Organization (ILO) as the definitive answer to the issue.⁹

Though it is likely that the issue of core labour standards will again resurface, the hostility of the vast majority of Member governments (particularly those from East and South Asia, Central America, the Caribbean and North Africa, but also South America, sub-Saharan Africa, Eastern Europe, the former Soviet Union, the Middle East and the Pacific) during the run up to, and during, the Seattle Ministerial Meeting, coupled with a series of other events, revealed deep-seated tension on this issue, and suggests that little substantive discussion will be forthcoming.¹⁰ Moreover, senior officials within the Organization remain opposed to a movement in this direction, as do influential members of the WTO's recently convened advisory panel, most notably Jagdish Bhagwati.¹¹ The accession of China is likely to strengthen further such sentiments among the membership. Ensuring that basic standards of work are maintained in the face of continued liberalisation thus remains the preserve of the non-punitive moral suasion exercised by institutions such as the ILO and the United Nations (UN) Global Compact.

The issue of environmental protection has been more warmly received by the membership—though this should not be overstated. Environmental issues have a relatively long history in the GATT/WTO—dating back to the, largely inactive, 1971 GATT group on Environmental Measures and International Trade (EMIT). Moreover, the Uruguay Round agreements reflected (at least) the language of sustainable development in a number of preambles. But, aside from a pre-existing article in the GATT (Article XX) enabling members to withhold their procurement of preferential treatment (most-favoured-nation) *vis-à-vis* other members,¹² it remains the case that the WTO presides over little that is substantive in the way of environmental protection—largely because such protection is deemed to be an easy cover for discriminatory activity. That said, although some hostility towards environmental issues was registered up to and during the Seattle Ministerial Meeting (most notably, though not exclusively, from Cuba, Egypt Guatemala, Haiti, Mexico, Pakistan and Peru), ideas of sustainable development and the nurturing of a green economic capacity in areas such as food production and tourism are gaining purchase among the membership. Moreover, key officials within the WTO appear more predisposed to addressing environmental concerns; and the Committee on Trade and Environment (CTE)—the successor to EMIT—has been the subject of a degree of invigoration of late, principally as a result of criticism levelled at its lack of transparency and prior action. However, whether this growing concern will translate into substantive action remains to be seen.

Issues concerning public health have increased in prominence in the wake of the BSE and Foot and Mouth crises—events which though largely confined to the UK have been met with a good deal of global hesitancy. Concerns (particularly in Europe) have also been raised about the effects on human health of genetic engineering and hormonal modification. The WTO was also momentarily embroiled in a dispute over the manufacture of generic HIV/AIDS drugs which contravened patent and copyright laws (and therefore fell within the remit of the TRIPs). This is new territory for the Organization as the necessity to halt the spread of infectious diseases, taking account of public concerns over genetic

engineering and sustaining the fight against HIV/AIDS are pressing concerns and present powerful arguments for placing restrictions on the free movement of goods and services, as well as the global ownership of intellectual property rights. The WTO has yet to make any substantive moves on these issues. Questions have been raised about the Organization's haste in using scientific 'evidence' and opinion to counter various concerns, and some have cast doubt on the capacity of the Agreement on the Application of Sanitary and Phytosanitary Measures (SPS) to deal with such issues. Nonetheless, these issues are likely to gain in prominence, and some debate has already begun within the WTO, most notably through a series of symposia on 'issues confronting the world trading system'.

Dispute settlement

The dispute settlement body (DSB)—considered to be one of the most significant achievements of the Uruguay Round—has been among the busiest of the WTO's ancillary bodies. Indeed, some have suggested that the DSB has been overwhelmed by the amount of work that has been passed its way. Between 1 January 1995 and 13 July 2001 234 requests for consultations—the first stage in the dispute settlement process (see Figure 4)—were lodged with the DSB, of which 180 related to distinct matters. Of these, the vast majority of requests for consultations were brought by developed members, though developing states were on the receiving end of a near equal number of complaints to their industrial counterparts. Moreover, evidence suggests that complaints brought by developed states are more likely to result in the establishment of a panel (that is, proceed further through the dispute settlement process), whereas those brought by their developing counterparts are more likely to be settled after bilateral negotiations.

It is not, however, the asymmetries in the way in which developed and developing countries utilise the dispute settlement mechanism (DSM) that has been the most worrying feature of the dispute settlement process. The DSB has not presided over a regime wholly devoid of the power-orientated approach to dispute settlement that afflicted the *ad hoc* GATT system. Disputes between the USA and the EU and the USA and Japan have been clouded by the threat of unilateral action on the part of the USA. This has been most prominently the case in disputes over cars and bananas, though the spectre of unilateralism has ranged much further afield. Moreover, it is unlikely with the change of administration in the USA that this spectre will recede completely.

Beyond this, it is likely that an increasing number of complaints taken to the DSB will involve issues of human health, particularly relating to plans for a wide-spread GM labelling campaign in the EU. We can also expect to see a growing number of cases dealing in some way with issues of environmental protection, intellectual property rights, and, perhaps as a consequence of the implementation review process, non-implementation of the Uruguay Round agreements.

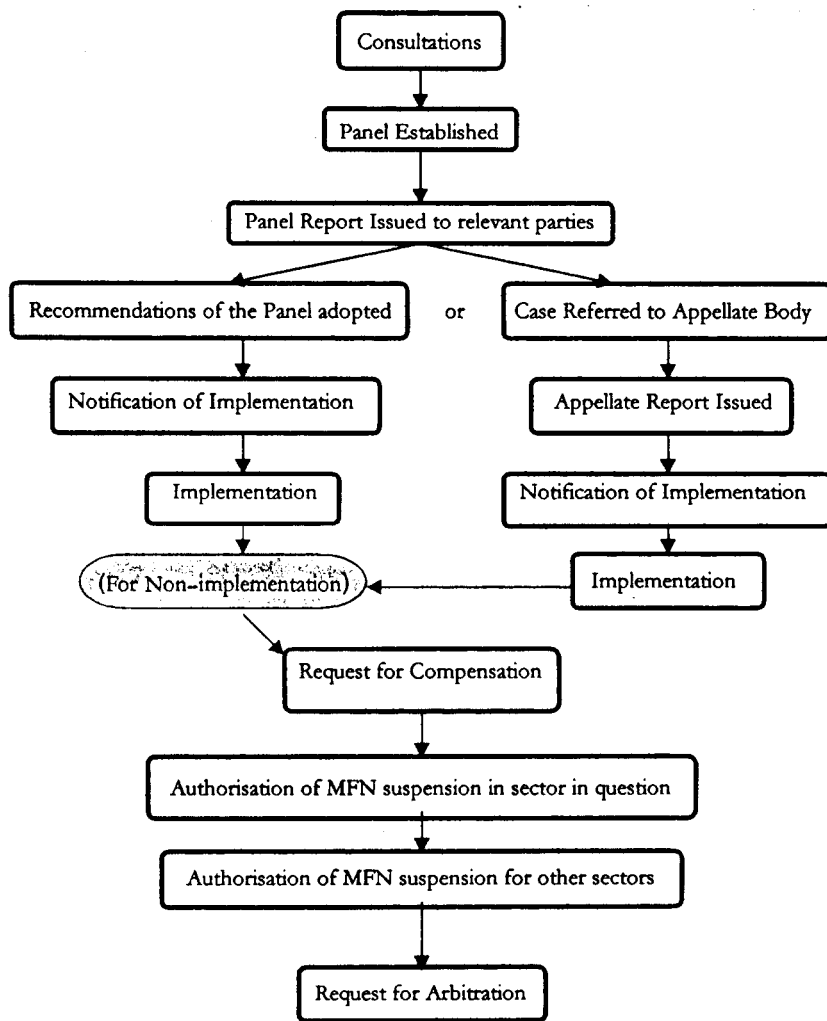


FIGURE 4. The Dispute Settlement Process.

Doha and the Millennium Round

Among the many factors that together converged to cause the collapse of the Ministerial Meeting in Seattle, development figured strongly. In particular, the issue of ensuring the full implementation of existing commitments under the Uruguay Agreements was the most prominent, but attention was also directed towards technical and financial assistance, and capacity building. Indeed, this issue was instrumental in the failure of the Seattle Meeting. A quick survey of the ministerial statements given during the Seattle Meeting reveals a clear tension between the wishes of developing countries (particularly those from South and Southeast Asia, Sub-Saharan and North Africa, Central America and the Caribbean, and the Middle East) to deal with implementation issues, and the

desire of their industrial counterparts (particularly the EU and the USA) to take the liberalisation agenda forward with a new round of trade negotiations. Unsurprisingly, the WTO channelled much of its energy in the wake of Seattle into addressing the marginalisation many developing countries felt and nurturing support for the launch of the new round. This was evident in both the language employed in official statements, press releases and speeches, as well as the activities of the Organization. Four aspects of the WTO post-Seattle strategy are noteworthy in this regard.

First, mandated negotiations have begun on agriculture and services. These negotiations—termed ‘in-built’ negotiations as they form a central part of the Agreements on Agriculture and Services respectively—have made some limited progress and were the subject of a stock taking exercise in March 2001. Progress in these areas was deemed essential to the launch of the new trade round and it is widely held that their successful conclusion depends on the ability of members to seek the potential for cross sector trade-offs through wider negotiations (such as in a new round).

Second, a review mechanism has been put into place to address and attempt to resolve issues relating to implementation. Through a series of consultations with the Chair of the General Council and the Director-General this mechanism sought to identify issues of concern; report the findings of the consultations to a series of special sessions of the General Council; pursue the solution of any problems and, should such action be required, refer work to one of the WTO’s ancillary bodies; and present a final report to the Ministerial Conference at the Doha Meeting. Comprehensive as the review mechanism may be, the task facing the WTO is considerable. Moreover, official statements suggest that the process has not been as successful as had been hoped and a number of issues remain outstanding. Indeed, the issue of implementation is likely to figure prominently for the duration of the new round.

Third, an ‘outreach’ programme has been put into place designed to enhance the participation of all member countries, but particularly the least developed. This comprises not only confidence building measures and a comprehensive reassessment of technical cooperation, but also the installation of WTO reference centres in developing and least developed countries, as well as closer cooperation between the WTO, World Bank and IMF to ensure congruity in the coordination of development policies.

Fourth, a dual strategy was put into place in an effort to ensure that the political momentum for the launch of the Millennium Round could be sustained. One dimension of this witnessed a concerted effort to highlight the perceived benefits of full participation in the multilateral trading system. Another dimension warned against the ‘risks’ of not participating in a new round, more often than not cautioning against the ills of protectionism.

The post-Seattle momentum was enhanced by a series of declarations by key officials and an increased visibility of WTO officials at other world gatherings. For instance, the UN Secretary-General, Kofi Annan, argued on a number of occasions that he believed a new trade round to be essential in combatting the increasing marginalisation of least developed countries; and a February 2001 joint statement by three previous Director-Generals of the GATT/WTO—Arthur

Dunkel (GATT 1980–93), Peter Sutherland (GATT/WTO 1993–5) and Renato Ruggiero (WTO 1995–9)—sought not only to give additional momentum to the process, but also to detail the key problems facing the multilateral trading system and suggest ways forward.

In an effort to avoid a repeat of the lack of preparedness in the run up to Seattle, at the end of July 2001 the WTO undertook a ‘reality check’—a period of sober assessment—to gauge the potential for a new round. In a candid speech to an informal meeting of the WTO’s General Council Mike Moore stated that, while some progress had been made in caucusing support for the launch of a new round at Doha and in spite of the 35 plenary meetings of the Council since February 2001, there remained considerable political impediments. Moore suggested that had the Doha Ministerial Meeting been scheduled for September 2001 a new round would not have been launched. Nevertheless, he argued, there remained hope for November, albeit that further reflection would be necessary at the end of September. This was followed in late September with a declaration that significant progress had been made on setting out a work programme for the Doha Meeting, and that a new round might finally be realised.

China

While many believed the launch of a new round to be crucial to salvaging something from Moore’s tenure as Director-General, a good deal of credence has been accrued from his presiding over China’s accession to the WTO. Since its establishment, the WTO has increased its membership from the 128 signatories to the GATT in December 1994, to 142 Members by 26 July 2001 (with 32 states holding observer status and/or in the process of negotiating entry). Nonetheless, the accession of a leading member of the old socialist order remained elusive.

China was one of the 23 original contracting parties to the GATT in 1948. However, after the establishment of the People’s Republic in 1949, the Kuomintang government (which relocated to Taiwan) gave notification of its withdrawal from the agreement (with effect 5 May 1950). Thereafter China’s re-entry into the multilateral trading system has been much protracted. China held observer status from 1982 and a working party on accession was established as long ago as 4 March 1987. Yet it was only with the reaching of bilateral agreements with the USA and the EU in the first part of 2001 that China’s accession appeared likely. On 20 July 2001 the WTO announced that preparations had been completed on the drafting of the necessary legal documents required to form the basis of China’s entry. This was followed on 17 September 2001 by the conclusion of the working party’s business and the finalisation of terms of entry, preparing the way for China’s formal accession at the Doha Ministerial Meeting.

However, China’s entry has not been the only accession to have been the site of some prior contention. September 2001 also witnessed the conclusion of accession procedures for Taiwan. The political sensitivity of Taiwan’s accession to the WTO was handled in what now appears to be a settled fashion when dealing with the ‘three Chinas’ in economic fora. Taiwan was admitted as a

customs territory (like Hong Kong and Macau) comprising Taiwan, Penghu, Kinmen and Matsu, rather than as a separate political entity.

The accession of China and Taiwan is a considerable move towards the WTO's stated goal of universal membership. The former Soviet Union remains the most significant geopolitical area outside of the WTO. While Georgia, Estonia, Latvia, Kyrgyzstan, Lithuania and Moldova have already acceded to the Organization, Armenia, Azerbaijan, Belarus, Kazakstan, the Russian Federation, Ukraine and Uzbekistan only hold observer status. Moreover, two of the 15 former Soviet Republics have yet to indicate a desire to join the WTO: Tajikistan and Turkmenistan.

Conclusion

The accession of China and the considerable effort that has been put into improving the WTO's image in the wake of the Seattle Ministerial Meeting has lifted some spirits. However, there remain significant obstacles ahead. Principal among these is development. Not only is implementation likely to remain a key issue, the global slowdown and the economic fallout from the terrorist attacks of 11 September 2001 will exacerbate the plight of many developing nations. Economic slowdown and a concomitant growth in work insecurity will also re-ignite grassroots calls for the WTO, in some way, to reinvestigate the potential for a linkage between trade regulation and core labour standards—though it is likely that this issue will push only very lightly against a firmly closed door. That said, the labour standards issue will no doubt become a negotiating lever during the Millennium Round. The WTO is also likely to remain the focus of much civil attention. The intensification of its programme of courtship may quell some voices, but demonstrations during WTO Ministerial Meetings—unless they continue to be hosted by governments unknown for their tolerance of civil expression—are likely to remain. Nevertheless, the successful conclusion of any new negotiation is set to intensify the scrutiny to which the WTO is increasingly being subjected.

Notes

1. WTO, *The World Trade Organization: Trading into the Future* (WTO, 1995), p. 1; and *WTO Focus*, No. 1 (1995), p. 4.
2. Each of which is deemed central to particular aspects of the WTO's legal framework. The WIPO for the development of a global intellectual property regime under the TRIPs, and the ITU and IOS for telecommunications aspects of the GATS and the Agreement on Basic Telecommunications.
3. WTO Press Release, 'World trade slows sharply in 2001 amid the uncertain international situation', No. 249, 19 October 2001.
4. On the roots of Seattle, see Chakravarthi Raghavan, 'After Seattle, World Trade System Faces Uncertain Future', *Review of International Political Economy*, Vol. 7, No. 3 (2000), pp. 495–504; Rorden Wilkinson, 'The WTO in Crisis: Exploring the Dimensions of Institutional Inertia', *Journal of World Trade*, Vol. 35, No. 3 (2001), pp. 397–419; Sam Laird, 'Dolphins, Turtles, Mad Cows and, Butterflies—A Look at the Multilateral Trading System in the 21st Century', *The World Economy*, Vol. 24, No. 4 (2001), pp. 453–81; and Jagdish Bhagwati, 'After Seattle: Free Trade and the WTO', *International Affairs*, Vol. 77, No. 1 (2001), pp. 15–30.

5. See, for instance, the defence of the Organization given by former special advisor to the Director-General of the WTO, Philippe Legrain, in *The Guardian*, 12 July 2001.
6. UNDP, *United Nations Development Programme Annual Report 2001* (UNDP, 2001), p. 13.
7. For a lengthier account of the WTO's relationship with NGOs, see Gabrielle Marceau & Peter N. Pedersen, 'Is the WTO Open and Transparent?', *Journal of World Trade*, Vol. 33, No. 1 (1999), pp. 5–50; and Rorden Wilkinson, 'The contours of courtship: the WTO and civil society', in: Rorden Wilkinson & Steve Hughes (Eds), *Global Governance: Critical Perspectives* (Routledge, 2002).
8. WTO document WT/MIN(01)/INF/3.
9. See Steve Hughes & Rorden Wilkinson, 'International Labour Standards and World Trade: No Role for the World Trade Organization?', *New Political Economy*, Vol. 3, No. 3 (1998), pp. 375–89.
10. See Nigel Haworth & Steve Hughes, 'Trade and International Labour Standards: Issues and Debates over a Social Clause', *Journal of Industrial Relations*, Vol. 39, No. 2 (1997), pp. 179–95; and Rorden Wilkinson & Steve Hughes, 'Labor Standards and Global Governance: Examining the Dimensions of Institutional Engagement', *Global Governance*, Vol. 6, No. 2 (2000), pp. 259–77.
11. Bhagwati's views on the trade–labour link are synthesised in *The Financial Times*, 28 August 2001, p. 15. The WTO's recently convened advisory panel consists of Robert Baldwin, Jagdish Bhagwati, Peter Eigen, Victor Halberstadt, Koichi Hamada, Patrick Messerlin, Konrad von Moltke, Sylvia Ostry, Ademola Oyejide, Manmohan Singh, LeRoy Trotman and Ernesto Zedillo.
12. Under this clause action can be taken to protect, among other things, 'human, animal or plant life or health', 'national treasures of artistic, historic or archaeological value', and the 'conservation of exhaustible natural resources if such measures are made effective in conjunction with restrictions on domestic production and consumption'. *General Agreement on Tariffs and Trade*, Article XX, Paragraphs (b), (f) and (g).